

**To:** Campbell, Rich[Campbell.Rich@epa.gov]  
**From:** Rumrill, Nancy  
**Sent:** Wed 1/17/2018 6:02:35 PM  
**Subject:** FW: Public hearing



*Nancy Rumrill (rumrill.nancy@epa.gov)*

*Drinking Water Protection Section (WTR-3-2)*

*US EPA, Region IX*

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*San Francisco, CA 94105*

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**From:** Albright, David  
**Sent:** Tuesday, January 16, 2018 7:36 AM  
**To:** Rumrill, Nancy <Rumrill.Nancy@epa.gov>  
**Subject:** FW: Public hearing

fyi

**From:** Stephen Twyerould [mailto:stwyerould@excelsiormining.com]  
**Sent:** Monday, January 15, 2018 2:24 PM  
**To:** Albright, David <Albright.David@epa.gov>  
**Cc:** Rebecca Sawyer <rsawyer@excelsiormining.com>  
**Subject:** RE: Public hearing

Hi David, sorry I missed your call.

I suppose we are a little surprised at the EPA's decision to hold a hearing given that:

- after ~75 days of comment period there were only 4 comments, one of which was ours and the two from Earthworks were essentially the same as the APP comments
- there were two extra signatories on the Earthworks comments - hardly public outcry AND neither party considered things controversial enough to ask for a public hearing during the APP process
- if the two "extra parties" were serious, they would have filed their own comments and/or engaged with us or complained prior (neither of which has occurred)
- they have already submitted their comments so the need for a public hearing seems mute (especially given they don't explain why, or attempt to justify the need for, a public hearing)
- and finally, they had their information meeting with EPA, which gave them their "opportunity" for their teleconferencing / communications with the EPA prior to submitting their comments

I would have assumed that given the above, there would be limited justification for the expense and time resources of the EPA on such a clearly non-controversial project.

That said, it is EPA's decision not Excelsior's, and if you intend to hold a public hearing, we would like:

- [redacted] to see it held ASAP (as a matter of urgency given every week of delay costs us about \$100,000)
- [redacted] held on a Saturday (so our employees and other employed people can attend)
- [redacted] held at the Dragoons Women's club (we do NOT intend to mobilize our support network, so room at this venue should not be an issue)
- [redacted] to put out a press release at the same time this information goes public (meaning when you post it on your website OR when posted in the newspaper, whichever comes first; therefore some coordination is needed).

Feel free to give me a call if you want to discuss.

Regards,

**Stephen Twyerould**

*President & CEO*



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**From:** Albright, David [<mailto:Albright.David@epa.gov>]

**Sent:** Friday, January 12, 2018 5:26 PM

**To:** Stephen Twyerould <[stwyerould@excelsiormining.com](mailto:stwyerould@excelsiormining.com)>

**Cc:** Rebecca Sawyer <[rsawyer@excelsiormining.com](mailto:rsawyer@excelsiormining.com)>

**Subject:** Public hearing

Hi Stephen,

I want to give you a heads-up that EPA will be scheduling a public hearing on the draft UIC permit in response to the request received during the comment period. I put in a call to both you and Rebecca this afternoon, but since I did not reach either of you I wanted to let you know by email.

We have not notified others at this point, but I expect we will do so next week. I do not have a specific date for the hearing yet, but we are working on scheduling it and once it is scheduled we will be issuing a 30-day notice in the local newspaper.

I will be back in the office Tuesday (Monday is a holiday) if you would like to call me then.

David Albright

Manager, Drinking Water Protection Section

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